

Abstract

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Abstract Malcolm Heath report on an experiment in teaching ancient rhetorical theory to modern undergraduates as a practical technique: that is, the students learned to apply ancient theories of rhetorical argument as tools for identifying and organising the persuasive resources available in hypothetical scenarios of the kind used in the ancient exercise of declamation. The results show that the complex rhetorical theory that was developed in later antiquity was not, as has often been thought, an artificial or purely academic construct, but provided powerful resources for teachers and for students.

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Malcolm Heath:

Teaching ancient rhetoric – a practical experiment

Malcolm Heath report on an experiment in teaching ancient rhetorical theory to modern undergraduates as a practical technique: that is, the students learned to apply ancient theories of rhetorical argument as tools for identifying and organising the persuasive resources available in hypothetical scenarios of the kind used in the ancient exercise of declamation. The results show that the complex rhetorical theory that was developed in later antiquity was not, as has often been thought, an artificial or purely academic construct, but provided powerful resources for teachers and for students.

The system of rhetorical invention developed by later Greek rhetoricians (2nd-5th centuries AD) was a purely academic exercise, an artificial theory that could be elaborated endlessly and pointlessly, since it had no practical significance at a time when autocratic government had deprived legal and deliberative oratory of any real importance. Or so some specialists in ancient rhetoric have thought. It is not true! My experience of teaching modern undergraduates to apply the theory in practice has convinced me that the ancient rhetoricians—who were, above all, teachers—knew what they were doing: the theory they developed is a powerful resource for both teacher and students. At least, it is if the teacher and students are classicists, and content to imitate ancient patterns of argumentation. Is it also relevant to modern argumentation? In this lecture, I describe the theory, my experiments in teaching it, and the results I have achieved. On this basis, readers may judge whether I have been engaged in a purely academic exercise with no practical significance.

1. Introduction: how I became a rhetor

I am not a rhetorician, but a classicist. But I have become a teacher of ancient rhetoric by accident. About twenty years ago, Donald Russell's book *Greek Declamation* stimulated me to start reading declamations from late antiquity (that is, from the second century AD through to the fifth century). Declamations are imaginary speeches, in which you take one side or the other in a dispute in a law-court, or in a debate in a political assembly. This is an example of the kind of theme that might be used as the basis for a declamation:

There is a law that a tyrannicide shall have his statue erected in the agora [that is, in the marketplace, the focus of public life in an ancient Greek city]. A tyrant seized power. Shortly afterwards, a plague broke out. An oracle was consulted, and declared that the plague would end if the tyrant were killed. The tyrant committed suicide. The plague ended. The tyrant's relatives claim that his statue should be erected in the agora. Someone opposes the claim.

I will come back to this example later, and examine it in more detail (we shall see that in one subtle but important respect it is not typical of ancient declamation themes). You may wish to pause before proceeding further, and think about how you would argue this case.

Declamations had many uses. They were composed by students studying rhetoric at school, as a training exercise; they were also composed by teachers, to show their students how it should be done; and they were composed by leading experts as virtuoso display pieces for public performance, to show off how good at it they were. The declamations I was reading included texts written for demonstration or public display by the second-century authors Lucian and Aelius Aristides (two strikingly contrasted personalities), and above all by Libanius, a distinguished fourth-century teacher of rhetoric. They are written in very stylish Greek, and are often very entertaining; the people who wrote them were conscious of the artificiality of what they were doing, and some were willing to play games with it. But what I found most interesting was the way the authors constructed their arguments. I could see that there were regular patterns both in the techniques of argument used in these declamations, and in the ways the arguments were organised. But I was aware that I did not fully understand those regularities. I therefore wanted to penetrate beneath the surface of the texts, and to see how the underlying structures of argument worked.

Fortunately, we have a textbook on rhetoric dating to the late second or early third century AD, which is concerned precisely with this topic: Hermogenes *On Issues*. Unfortunately, when I first tried to read it I found that I could not understand this book at all. It is full of confusing technical terms, with very little explanation of what they mean. Even when I could see what the words meant, the rationale of what Hermogenes was saying was not adequately explained; so I often had little idea why Hermogenes was making the recommendations he does. My first impression was therefore of a mass of unintelligible jargon, and of a theory that was arbitrary, arid, mechanical, pedantic, sterile... Unfavourable descriptions of Hermogenes' theory are readily available: specialists in ancient rhetoric have often conclu-

ded that this system of rhetorical theory was a purely academic exercise, which had no practical application in real life.

That view fits very comfortably with the widespread belief that oratory itself had ceased to have any real practical significance in later antiquity. When we think of great classical oratory we think of Demosthenes in democratic Athens, or Cicero in the Roman Republic. Both were active at times when political freedom was about to be curbed—in one case by the rise of Macedonian hegemony, and in the other by the revolutionary upheavals that transformed the government of Rome into a de facto monarchy. By the second century AD, the Roman Empire (encompassing the Greek-speaking East as well as the Latin-speaking West) was ruled by a military autocracy. Without freedom, how could legal or deliberative oratory have any real importance? So it is not surprising that rhetorical theory in this period was left with nothing to do but pointlessly elaborate systems of technical terms that had no contact with the real world. And it is not surprising that the most typical products of oratory in this period were not real speeches but declamations, imaginary speeches, like the example I gave just now—not set in the contemporary world, but in a romantic, fictionalised version of the distant classical past.

Or so it has often been said. But I have never found that account credible, for two reasons. First, it is narrowly focused on the highest levels of government. But what about ordinary people? All over the empire there were communities which had to take decisions about their own local affairs, and there were people who got into disputes with each other and went to the law-courts to settle them. Arguing about where the boundary of a field lies is not as glamorous as defending the freedom of Athens or the liberty of the Roman republic; but for that very reason, the imperial government was unlikely to interfere with it; and to those involved, the outcome might be very important. So people needed to influence decisions. That meant they needed to be able to speak persuasively to the decision-makers, or else they needed access to advocates who could speak persuasively on their behalf. At this level, at least, there was a continuing, and entirely practical, demand for people who had a professional training in public speaking, and in techniques of argument.

The professional teachers of rhetoric who provided that training also provided my second reason for doubting the standard view. I did not believe that generations of, presumably intelligent and competent, teachers would have gone on using a theory that did not work. We should proceed on the assumption that ancient teachers of rhetoric knew what they were doing, and that if they developed and used a particular theory, they did so because their experience convinced them that it was a genuinely useful resource, both for teachers and for students. If we cannot make sense of the theory, that is likely to be our fault, not theirs.

Thinking about teachers suggests an obvious explanation for why I found Hermogenes *On Issues* so difficult to understand: it was not written for me, but for people who already understood what it was talking about. That is to say, it was not an introductory textbook for beginners; it was a handbook for teachers. So I made two decisions: I would translate Hermogenes *On Issues* into English, with a commentary that would explain how the theory makes sense; and to help me find out how the

theory makes sense, I would use the text as a teaching resource myself. I therefore developed a course on practical rhetoric, the main point of which was to get students to apply in practice the resources for argument recommended by Hermogenes. In this way, I became a teacher of ancient rhetoric.

Teaching the course has had three important benefits. First, and most obviously, it forced me to think hard about what Hermogenes was saying. If you know that tomorrow you will have to explain something to a class of students, that really helps you to concentrate. Secondly, it forced me to think about what Hermogenes was saying from a practical point of view. Rhetoric is a practical discipline: it teaches you how to do something. You cannot hope to achieve a full understanding of what it is teaching you unless you actually try to put the teaching into practice. But it is even more helpful to try to get other people to do that. When you tell them what they should do, you must also be able to explain why it makes sense to do it that way; so there is a very strong pressure on you to try to work out the underlying practical rationale of the theory. Thirdly, interacting with the students helped me explore the practical rationale of the theory. I could not reliably predict (still less control) what the students would do with the theory; so teaching the course rigorously tested my ideas about how the ancient theory worked. I am glad to say that I often failed the test. That is, classroom experience often convinced me that the ancient theory could not have worked the way I had initially supposed. (I have gone on learning: there are things in my commentary that I now think are mistaken in the light of further teaching experience.) But there were also more positive results. The students often applied the theory with imagination and creativity, in a way that helped me see that the theory could work even better in practice than I had thought.

2. Issue-theory: a brief explanation

I do not attempt to teach a complete system of ancient rhetoric in this course. I focus on one aspect of rhetoric, which was particularly important in late ancient rhetorical training (although its importance has not been properly recognised by classicists). This is what in Greek is called *stasis* (in Latin, *status*): literally, ‘standing’ or ‘stance’; but it is most often translated in English as ‘issue’. I shall give a brief explanation of the function of issue-theory and the way it worked before we turn our attention to the example.

Issue-theory does two things. First, it provides a way of classifying different kinds of dispute. For example, in some cases the facts are disputed: did this man steal the money or not? I say he did; he denies it. Who is right? In other cases, the facts are agreed, but there is a dispute about what those facts amount to. This man admits that he stole the money; and he stole the money in a temple. Does that make him a temple robber (a very serious crime)? I say it does. But he was not stealing temple property: he was stealing from worshippers in the temple. So he says that he is just an ordinary thief (a much less serious crime). When the facts are disputed, that is known technically as conjecture; when the categorisation of the facts is in dispute, that is definition; and so on. The version of issue-theory which was developed in the

Table 1: the system of issues

Conjecture	The defence denies that it committed the acts alleged.
Definition	The defence concedes that it committed the acts alleged, but denies that this is an instance of the crime of which it is accused (e.g. that this was a genuine assault).
Counterplea	The defence maintains that it had a right to act in the way it did.
Counterposition	The defence concedes that there was a <i>prima facie</i> wrong, but maintains that there are other factors which may counterbalance or negate that wrong. This can be done in four ways: - Counterstatement: The action was justified by some beneficial consequence. - Counteraccusation: The blame really lies with the victim (e.g. he provoked the assault). - Transference: The blame really lies with some third party (e.g. the defendant was forced to act against his will). - Mitigation: The action can be explained in a way that reduces the defendant's culpability (e.g. he was drunk).
Practical	This issue is concerned with the evaluation of a proposed future action (as in deliberative speeches).
Objection	The defence challenges the validity of the proceedings on the basis of some explicit legal provision. This move may be countered in one of two ways: – documentary: the law cited has not been interpreted correctly; – non-documentary: the circumstances of the case in question make it relevantly different from those covered by the law cited.
Letter and Intent	One party tries to restrict the application of a law by appealing from its explicit content to its implicit intent.
Assimilation	One party tries to extend the application of a law beyond its explicit content by arguing that by implication it applies to similar cases.
Conflict of Law	The two parties dispute about which of two conflicting legal provisions should take precedence in the present case.
Ambiguity	The two parties dispute about the interpretation of a law that is ambiguously expressed.

Table 2: the division of definition

Presentation	The prosecution uses the circumstances of the act in question to enhance its significance (amplification).
Definition	The defence uses a strict definition to show that the act falls outside the category alleged by the prosecution.
Counterdefinition	The prosecution proposes a looser definition which brings the act within that category...
Assimilation ...	and argues that the looser definition captures all significant features of the category (i.e. nothing is gained by insisting on the stricter definition).
Legislator's Intent	Each party argues that its definition reflects the underlying intention of the law.
Importance	Amplification is used to argue that what was done (or, on the other side, than what was not done) is inherently important...
Relative Importance	.. and that it is more important than what was not done (or, on the other side, than what was not done).
Counterposition	The act is defended by - pointing to its beneficial consequences (counterstatement) - shifting the blame (counter-accusation or transference), or - invoking mitigating circumstances (mitigation).
Objection	The prosecution tries to find some circumstance of the act which negates the counterposition...
Counterplea	... to which the defence responds by arguing that the act is legitimate in itself.
Quality and Intention	An examination of the accused's life and character in general, and his (alleged) intention in the particular act in question. This prepares for the use of Common Quality in the epilogue (amplification).

second century AD, and which is represented for us by Hermogenes, identified thirteen main classifications (summarised in Table 1). Having as many as thirteen issues was one of the things that distinguished this version of the theory from earlier versions.

Conjecture, definition and the other issues all need to be argued in different ways. It does not matter what the defendant is charged with—whether it is theft or murder or adultery or whatever it may be. If the defendant denies that he did it, you will have to consider things like witnesses, circumstantial evidence, motive and opportunity. But if the facts are agreed on both sides, those considerations will not be relevant. The classification of disputes is therefore not an end in itself; its practical point is to guide you to the arguments that will be relevant in each case. The second distinctive aspect of the version of issue-theory found in Hermogenes is that it analysed each kind of dispute in much greater detail than had been done before. For each of the issues, the theory set out a model strategy for handling that kind of dispute. The argument is broken down into separate stages (or headings), organised in a predefined sequence. This is known as the division of the issue. (As an illustration, there is a summary of the Hermogenean division of definition in Table 2.) Once you have identified a case as (for example) definition, the division gives you a ready-made pattern for handling that kind of case which you can use as a template for developing your own argument.

All this makes the theory of issues as it was taught by Hermogenes, and by other rhetoricians of late antiquity, a very powerful resource for rhetorical invention. But, of course, it is not enough just to have learned the abstract division. You must also be able to apply it effectively to the specific circumstances of each case. If you are prosecuting the man who stole money from worshippers in a temple, it is helpful to know that this is a case of definition and that you will need to define ‘temple-robbery’ broadly. Stealing private property in a temple is not exactly the same as stealing from a temple; but as prosecutor, you will have to convince the jury that it is effectively the same. So you have to work out what broad definition might convince this jury, taking account of (for example) their values and religious beliefs. You might argue, for example, that stealing from worshippers displays exactly the disregard for the temple’s sanctity and its status as a sanctuary that marks out temple-robbery as an especially serious kind of theft. The abstract division therefore provides you with a prompt: it directs your attention to the sorts of argument that are likely to be relevant in this kind of case. It also provides you with a structure: it suggests a sequence for the arguments that is likely to work well for most cases of that kind. What it does not provide is a substitute for intelligence and judgement. It is not a mechanical procedure; it is not a set of rules that have to be followed blindly.

3. A practical example

We may now return to the example I introduced earlier, and consider it in the light of the theory I have just outlined.

Table 3: determining the issue

- (1) Are the facts of the case in dispute?
 - (a) yes: the issue is conjecture.
 - (b) no: go to (2).
- (2) Is the correct categorisation of those facts in dispute?
 - (a) yes: the issue is definition.
 - (b) no: the issue is qualitative; go to (3).
- (3) Does the dispute focus on the implications of substantive features of the acts in question, or on the implications of the law under which the charge is brought (or of some other relevant legal instrument)?
 - (a) act: the issue is logical; go to (4).
 - (b) law: the issue is legal; go to (9).
- (4) Is the dispute concerned with a past or future act?
 - (a) future: the issue is practical.
 - (b) past: the issue is juridical; go to (5).
- (5) Does the defence deny that the act in question was *prima facie* illegal?
 - (a) yes: the issue is counterplea.
 - (b) no: the issue is counterposition; go to (6).
- (6) Is responsibility for the act accepted or transferred?
 - (a) accepted: the issue is counterstatement.
 - (b) transferred: go to (7).
- (7) Is responsibility transferred to the victim?
 - (a) yes: the issue is counteraccusation.
 - (b) no: go to (8).
- (8) Is responsibility transferred to an accountable third party?
 - (a) yes: the issue is transference.
 - (b) no: the issue is mitigation.
- (9) If the dispute focuses on the implications of a law (or other legal instrument), is there one instrument or more than one (or one divided into more than one part)?
 - (a) one: go to (10).
 - (b) more than one: go to (12).
- (10) Is the literal interpretation of the law agreed?
 - (a) yes: go to (11).
 - (b) no: go to (13).

(11) Is an implied meaning substituted for the law's explicit meaning, or added to it?

- (a) substituted: the issue is letter and intent.
- (b) added: the issue is assimilation.

(12) If the dispute is concerned with more than one law (or one divided into more than one part), then the issue is conflict of law.

(13) If the literal meaning of a legal instrument is disputed, then the issue is ambiguity.

(14) Is the validity of the charge contested on the basis of an explicit legal instrument? If so, the issue is objection; we must now consider whether the challenge is countered:

- (a) by questioning the interpretation of the law under which it is made: the objection is documentary (corresponding to the legal issues); or
- (b) by arguing that some feature of the act in question constitutes a relevant difference from the norm: the objection is non-documentary (corresponding to the logical issues).

(a) First thoughts for the opponent

First, what is the issue? If we consult Hermogenes' decision procedure (summarised in Table 3), we see that the dispute is not conjectural: none of the facts are in dispute. Is it definition? Yes: in opposing the claim you can question whether suicide is, in a relevant sense, tyrannicide. This is very close to the question of whether suicide counts as homicide, which is central to some cases of definition mentioned by Quintilian (7.3.7).

One general principle relevant to that question is that harm you do to yourself is often treated as legally and morally different from harm which you inflict on others. It is easy to find examples to illustrate that principle. You will not be guilty of assault if you hit yourself on the head; and you will not be allowed to claim on your insurance if you set fire to your own house. But this general principle is not enough: we have to show that it is reasonable to apply it to the present case. We have a law that says that a statue of a tyrannicide is to be erected in the agora. Does it make sense to distinguish between harming oneself and harming another when we apply that law? What is the purpose of the law? What social good is this reward for tyrannicide designed to promote? Would that aim be furthered or thwarted if the reward is granted when a tyrant kills himself? In this connection it will be worth exploring the tyrant's state of mind when he committed suicide. Presumably we reward tyrant-killing because it is a heroic act performed for the public good. The tyrant's suicide certainly had good consequences: but is that why he did it? If not, then it will be harder to argue that his act deserves to be honoured.

It can be taken for granted that any jury in the freedom-loving (if chronically

unstable) democratic city of the declaimers' imagination will be intensely hostile towards tyranny; so they will be very willing to take a negative view of the dead tyrant's intentions. That hostility towards the tyrant gives the speaker opposing the claim an enormous advantage: he can be sure that the jury wants to agree with him. So he can try to exploit their sense of outrage and anger. But he cannot rely on emotional denunciations of tyranny alone. The jury has sworn to give their verdict in accordance with the law; so we cannot openly invite them to disregard the law. We need to show the jury a way to reconcile the outcome which they want with the requirements of the law.

That may still seem an easy task, since the tyrant's claim will have to struggle against so much prejudice. But we must not forget that the claimants will be presenting arguments in favour of their claim, and it would be complacent to assume that they have no effective resources to support their position. Even if the jury is on our side, we have to take precautions against persuasion on the other side. Analysing the problem from your opponent's perspective is always a crucial part of one's own preparation.

(b) The claimants perspective

How, then, might the claimants' case be handled? One thing is clear: the spokesman for the claimants must try as hard as possible to avoid any suspicion of sympathy for the tyrant or the tyranny. He will probably want to emphasise that the case is not about the tyrant or the tyrant's life, but only about his death. So he will stress (in the presentation: see the division in Table 2) that the tyrant's death conferred two benefits on the city: an end to the tyranny, and an end to the plague.

Moreover, the dead man did not need to kill himself. Once the oracle had been received the end of the tyranny was inevitable, but the tyrant could still have escaped into exile. The dead man made a positive choice, not just to end the tyranny, but to end the tyranny by the tyrant's death. So (this is the counterdefinition) he satisfied the one criterion stated in the law, which requires simply that the killing of a tyrant be publicly commemorated (a word which the claimants may think safer than 'honoured' or 'rewarded'). The law says that anyone who kills a tyrant should have his statue erected, and adds no further restrictions. We should not be more restrictive than the law, since it makes no difference whether the tyrant dies at his own hands or another's, provided the city is set free (there is the assimilation). That is why the law makes no distinction: its purpose would be fulfilled no matter who killed the tyrant (legislator's intent). Securing the city's freedom is the overriding concern, because the blessings of freedom are so great... (importance: this is a theme that you will be able to elaborate lavishly, so as to highlight your democratic loyalties). Freedom is the most important blessing a city can enjoy, and it was better that those blessings were secured in a way that avoided any risk of conflict in the city, and which spared any citizen the necessity of risking his own life (relative importance).

The division of definition continues with counterposition. That would be rele-

vant in a case in which the jury is being asked to pass judgement on an arguably wrongful action that needs to be justified or mitigated (for example: I admit that I hit him, but that does not really constitute an assault—and in any case, he provoked me). But that is not what we have here: the tyrant's suicide is not a wrong that needs to be justified or mitigated. So counterposition and the heads of argument that follows are strictly speaking irrelevant. Nevertheless, there is something in this scenario that is desperately in need mitigation, even though it is not what the jury is being asked to pass judgement on: the tyranny itself. The claimant will at some point have to address the jury's prejudice against tyranny. Moreover, he must do so without seeming to be sympathetic to the tyranny. That will not be easy. Perhaps it could be done like this. It is true that the tyranny had been established by the dead man himself; and that was a terrible crime. But the law does not say that a statue should be erected when someone kills a tyrant—but only if he has not committed any previous crime. On the contrary, it is very much in the public interest to give those who have committed crimes the incentive to atone for what they have done by some compensating service to the common good. The tyrant's ultimate change of heart is a mitigating circumstance, and the public interest demands that a place be left for repentance.

Yet to talk about an incentive comes close to the idea of an honour for the dead man, and we have seen that this is dangerous ground. It might prompt a protest: it is outrageous that such an honour should be granted to such a man. But the claimants can meet that the objection, since erecting the statue is something that the law explicitly requires. It would be absurd to celebrate the restoration of the rule of law by overturning the law. If the statue is an honour to the dead man, then it is an honour which the law requires, and which benefits the city: it is good to offer even the worst criminal an incentive to change for the better. But we are not making our proposal in order to honour the dead man. If we obey the law which he restored to us by his death, we will ensure that his death confers a still greater good on the city: it will be a guarantee of freedom for years to come. The statue will be an inspiration to those who love freedom, and it will be a warning to would-be tyrants. It will be a perpetual reminder that, in a city protected by the gods, pursuing tyrannical ambitions is suicidal.

(c) Second thoughts for the opposition

When I last taught my rhetoric course, this theme was one of the examples I used. Having asked the students to prepare the opponent's case in advance, I began the class by giving them this version of the case for the claimants. I was not surprised that the arguments they had prepared against the claim had not anticipated my arguments for it. (I felt particularly pleased with the last bit, about the statue as a warning to would-be tyrants.) But now that they had heard the case for the claimants, could they find a way to respond to it? We discussed the problem inconclusively for a while; and then a member of the class came up with something completely unexpected. She suggested that the opponent should propose that the statue in

the agora should be a statue of the god who gave the oracle. The opponent will argue that it was the god who was truly responsible for bringing about the tyrant's death; so it is the god who deserves to be honoured.

That is brilliant. We had been thinking of the case as a simple definition: is a tyrant's suicide a genuine tyrannicide? This suggestion turns it into a double definition: who was more truly responsible for the tyrant's death, the tyrant or the god? The great advantage of reframing the question in this way is that the jury is no longer being invited to make a purely negative decision, that the law should not be applied to this case; as we have seen, that would be vulnerable to the objection that the law is being overturned. Instead, the jury is given a choice between two different ways in which the law can be applied. If one of the alternatives allows them to reconcile their reluctance to honour a tyrant with their respect for the law, and to do so in a way that also satisfies their religious feelings, then the claimants will find it very difficult to produce a counterargument. Indeed, they may find it impossible. Certainly I have not thought of a way of countering the proposal of the statue of the god. But that creates a problem. A one-sided declamation theme is invalid: it must be possible to argue the case on both sides. So there seems to be something wrong with my example.

Setting an invalid theme would have been an embarrassing blunder for any ancient teacher of rhetoric, and the discovery that I had made this mistake made me curious. I had borrowed this example from an ancient source: had my student found a line of argument which ancient experts had overlooked? The source is a collection of teacher's notes on various declamation themes, traditionally (but probably incorrectly) attributed to Quintilian and generally known as the *Minor Declamations*. But when I checked the original (*Minor Declamation* 329), I found that there was a significant difference. The ancient version makes no reference to a statue; instead, the tyrannicide shall be buried in the agora. Since you cannot bury a god, that version is immune to my student's argument. I do not think I changed the original example deliberately: it was probably a mistake of memory. There is no other declamation theme in which a public burial is a reward, but there are many parallels for the statue. There are also historical precedents: the Athenians erected statues in honour of their tyrannicides, Harmodius and Aristogeiton. So I had without realising it replaced a unique element with a common one. But my student's suggestion has shown that it was not an accident that the authentic ancient version had the burial, not the statue.

4. Conclusions... and an open question

That is one very particular point that I learned from teaching this course. But it has also helped me to draw more general lessons. The experience has strengthened my belief that ancient teachers of rhetoric knew their business. This form of issue-theory enables students very quickly to start producing arguments that have some merit. It also works well as a teaching tool: I was able to teach students how to use these techniques, even though I had no relevant training or experience. I would not

want to exaggerate my success. Without frequent practice, and frequent exposure to models, it is impossible to convert explicit theory into a tacit, thoroughly habituated skill. So limited class time, as well as my limited competence as a rhetoric teacher, inevitably means that there are limits to the fluency and sophistication with which my students apply the theory. But the fact that the theory can get us as far as it does under such unfavourable conditions is evidence of its effectiveness. That in turn encourages my belief that the theory was part of a genuine, and effective, system for professional training that was relevant to the real contemporary world.

When I speak of ‘the real contemporary world’, I mean (of course) the world of the ancient rhetoricians and their students. As I said at the beginning, I am not a rhetorician, but a classicist. My interest in rhetoric is therefore primarily historical. I teach my students about rhetoric as an aspect of ancient culture; I do not claim to teach rhetoric in the sense of a set of skills or techniques in communication and argument that are directly applicable in the modern world. Unlike ancient students, my students cannot transfer the techniques recommended by ancient rhetorical theory directly to their ordinary life. There is too great a gap between the conventions of persuasive discourse in ancient and modern culture for that to be possible. So, while I do not believe that the ancient rhetoricians I have been studying were engaged in a purely academic exercise, it could certainly be argued that I have been. Nevertheless, even if there is no direct transfer, there is perhaps the possibility of an indirect transfer. It is an interesting question whether we might learn something about persuasion and argument from studying the ancient sources that would inform our understanding of the possibilities for persuasion and argument in our own world.

When I say ‘we’, I mean ‘you’: I am happy to leave that for genuine experts on rhetoric to decide. And since I am not a rhetorician, I cannot pretend to have any skills of persuasion to influence your judgement. ▀

Further reading

On declamation see D.A. Russell, *Greek Declamation* (Cambridge 1983); there is a brief account in D.H. Berry and M. Heath, ‘Oratory and Declamation’, in S. Porter (ed.), *A Handbook of Classical Rhetoric in the Hellenistic Period, 330 B.C. – A.D. 400* (Leiden 1997), 393–420.

Examples of declamations by Lucian, Aelius Aristides and Libanius can be found in the illustrative material included with my translation and commentary on Hermogenes: M. Heath, *Hermogenes On Issues: strategies of argument in later Greek rhetoric* (Oxford 1995). More of Libanius’ declamations are translated in D.A. Russell, *Libanius: Imaginary Speeches* (London 1996).

The *Minor Declamations*, from which my example was adapted, are available in the Loeb Classical Library, edited with a facing English translation by D.R. Shackleton Bailey: *Quintilian, The Lesser Declamations* (2 vols, Cambridge MA 2006). Two

versions of Quintilian's work on rhetorical theory have been published in the Loeb Classical Library: the poor older version (by H.E. Butler) has now been definitively superseded by D.A. Russell's excellent new edition: *Quintilian, The Orator's Education* (5 vols, Cambridge MA 2001).

Quintilian's system of rhetoric, though familiar and influential, differs in many respects from the system taught by the later Greek rhetoricians who have been the focus of my own work. I discuss the history and diversity of ancient systematisations M. Heath, 'Codifications of rhetoric', in E. Gunderson (ed.), *The Cambridge Companion to Ancient Rhetoric* (Cambridge, forthcoming). My chapter on 'Invention', in Porter's *Handbook of Classical Rhetoric* (above), 89-119, illustrates (with a worked example) a wider range of inventional techniques from later Greek rhetoric than I have been able to cover here. There is a fuller outline of issue-theory, and a discussion of how the distinctive version developed in the second century AD differs from its predecessors, in M. Heath, *Menander: a rhetor in context* (Oxford 2004), 4-19.

In that book I also provide evidence from social history to support my claims about the continuing practical relevance of rhetoric in late antiquity (277-331). For examples of low-level legal advocacy in this period see M. Heath, 'Practical advocacy in Roman Egypt', in M.J. Edwards and C. Reid (ed.), *Oratory in Action* (Manchester 2004), 62-82; see also J. Crook, *Legal Advocacy in the Roman World* (London 1995).